

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:10-CR-00352-BCW-1
)
KENNETH D. WOLF,)
)
Defendant.)

ORDER

Before the Court is Magistrate Judge Hays's Report and Recommendation related to the Court's granting of Defendant's Motion for Determination of Competency (Doc. #39). Neither party filed objections to the Report and Recommendation (Doc. #49).

On October 3, 2012 a hearing was held before Magistrate Judge Hays on Defendant's Motion. The only evidence before the Court on the issue of defendant's competency was the report of Dr. Rattan. After an independent review of the record, the applicable law, and the parties' arguments, the Court adopts the Magistrate's findings of fact and conclusions of law and finds defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his defense. Accordingly, it is hereby

ORDERED the Magistrate's Report and Recommendation (Doc. #49) be attached to and made part of this Order.

IT IS SO ORDERED.

DATED: November 30, 2012

/s/ Brian C. Wimes

JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT